

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
MIDDLE DIVISION

U.S. DISTRICT COURT
N.D. OF ALABAMA

MARCUS E. WYNN,)
vs. Plaintiff,) CIVIL ACTION NO. 97-RRA-1585-M
STATE OF ALABAMA; HEARINGS AND)
APPEALS DIVISION OF THE ALABAMA)
DEPARTMENT OF INDUSTRIAL)
RELATIONS; ALABAMA DEPARTMENT)
OF INDUSTRIAL RELATIONS; AND)
JAMES WEBB, Individually and in his)
capacity as Chief of Hearing and Appeals)
Division of the Alabama Department of)
Industrial Relations,)
Defendants.)

ENTERED

APR 10 2000

MEMORANDUM OPINION

The court has considered the entire file in this action, together with the Magistrate Judge's Report and Recommendation, and has reached an independent conclusion that the Magistrate Judge's Report and Recommendation is due to be adopted and approved. The court hereby adopts and approves the findings and recommendation of the magistrate judge as the findings and conclusions of the court. In accordance with the recommendation, the motions to dismiss the ADEA claim against the State of Alabama, its agencies, and James Webb, in his official and individual capacities, are due to be granted

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and the said claim against the said defendants dismissed with prejudice. An appropriate order will be entered.

DONE this 10th day of April, 2000.



EDWIN L. NELSON,
UNITED STATES DISTRICT JUDGE